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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/763,442

02/21/2001

Wiebe De Haan

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

VENT, JAMIE J

ART UNIT

PAPER NUMBER

2621

MAIL DATE

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10/09/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 09/763,442	Applicant(s) DE HAAN, WIEBE	
	Examiner Jamie Vent	Art Unit 2621	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 August 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23,25-43,46 and 47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23,25-43,46 and 47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed August 14, 2007 have been fully considered but they are not persuasive. On pages 10, 14, and 17 applicant argues that the examiner has failed to comply under 37 CFR 1.104 due to the complexity of the cited references. It is noted that the examiner has established the specific column and lines numbers of the references where the claim limitations may be taught. Thereby through the clarification and teaching of the cited references pointed out by the examiner the reference is not deemed complex. Additionally, applicant is reminded that if the cited references recite limitations in a column it is stated Column 1 Lines 10+ and thereby the cited limitation is found in Column 1 Lines 10-67. Additionally, on page 11 applicant argues Kashiwagi et al in view of Yamane et al in further view of Nakai et al fails to disclose a system for "defining a playable title as a playable sequence of all complete cells or a subset of complete cells of a recording in the order of allocation within the video object storage area on the disc" as recited in Claim 1. It is noted that Kashiwagi discloses in Column 1 Lines 24-37 the video titles on the disc represent the video objects being stored on the disc. Furthermore, in Column 20 Lines 31-39 further shows the internal structure of the video title set list that provides the management information on the video objects. Furthermore, it is argued on Page 13, that Kashiwagi et al in view of Yamane et al in further view of Nakai et al fails to disclose a system for "generating a title list of titles sorted in order of arrangement within the video object storage area on the disc" as recited in Claim 1. It is further noted in Kashiwagi and Yamane et al in Column 20 Lines

Art Unit: 2621

16-40 the video title set (VTS) described management information for the entire disk and the VTS provides title video object and thereby generates a list for arrangement of the video objects. Additionally, on pages 15 applicant argues that a "free space title" is not taught by the cited references. It is well known in the art that discs have areas of free space or dummy packets that provide additional storage capabilities for storage of A/V objects. The teaching of parental blocking of data by Kashiwagi further teaches the ability for free space to be present in a A/V object to provide the application of parental block of A/V data. Although, all of applicant's points are understood the examiner can not agree.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-20 rejected under 35 U.S.C. 103(a) as being unpatentable over Kashiwagi et al (US 6,393,574) in view of Yamane et al (US 5,784,528) in further view of Nakai et al (US 5,999,698).

#### **[claims 1, 6, & 17]**

In regard to Claims 1, 6, and 17, Kashiwagi discloses a method of recording an encoded bit stream, said encoded bit stream representing a plurality of video objects comprising a sequence of cells together constituting a part of an MPEG2 Program Stream, on a disc like record carrier, such as an optical disc, said method comprising:

Art Unit: 2621

- Recording a collection of contiguously arranged video objects in a video object storage area of said disc (Column 61 lines 51-57 describes the collection of contiguously arranged in a video object storage area);
- Recording management information in a management information area of said disc for storing information about recording video objects (Figure 22 and further described in Column 19 lines 64+ through Column 20 Lines 1-12); Said collection is partitioned into adjacent recording that represent playable titles characterized by
- Defining a playable title as playback sequence of all complete cells or subsets of complete cells of a recording in order of allocation within the video object storage area on the disc (Column 20 Lines 31-39 describes the defining of the playable titles); however fails to disclose generating a title list of titles stored in the order of arrangement within the video object area on said disc.

Yamane et al discloses a system wherein the generation of title list of titles stored in order of arrangement within the video object as described in Column 9 Lines 35+. The title list provides proper storing and collecting of data that is present on the disk. It is additionally taught by Nakai to have recorded video objects that represent playable titles as seen in Figure 44. It is further disclosed the recorded video objects and the use of these objects in Column 20 Lines 31-39. The objects providing a link of to playable titles provides the recording medium with efficient storage of the arranged data.

Therefore, it would have been obvious to one of ordinary skill in the art to use a method

Art Unit: 2621

of recording an encoded bit stream, as disclosed by Kashiwagi, and further incorporate the generation of title list, as disclosed by Yamane et al, and further incorporate a system that provides video objects with playable titles, as described by Nakai..

**[claims 2, 7, & 18]**

In regard to Claims 2, 7, and 18, Kashiwagi discloses a method characterized by defining a free space title that represents free space within the video object area and including the free space title in the title list (Column 19 Lines 5-25 describes the free space title)

**[claims 3, 8, & 19]**

In regard to Claims 3, 8, and 19, Kashiwagi discloses a method characterized by blocking free space titles for playback (Column 19 Lines 5-25 describes the blocking free space titles).

**[claims 4, 9, & 20]**

In regard to Claims 4, 9, and 20, Kashiwagi discloses a method characterized by converting a deleted title to a free space title (column 19 Lines 5+ describes the deletion of title to a free space title).

**[claim 5]**

In regard to Claim 5, Kashiwagi discloses a method characterized by generating a title menu listing the titles in the same order as in the title table for allowing user access to the titles (column 20 Lines 40-60 describes the generating of a title menu).

**[claim 10]**

Art Unit: 2621

In regard to Claim 10, Kashiwagi discloses a recording apparatus characterized in that the system control means are adapted to generate a title menu listing the titles in the same order as the title table for allowing user access to the titles and recording means comprises output means for displaying the title menu (Column 20 Lines 40-60 describes the title menu listing in a table).

**[claim 11]**

In regard to Claim 11, Kashiwagi discloses a method wherein the generating the title list of titles further comprises generating titles for both the playback sequence of all complete cells and the subset of complete cells (Column 19 lines 64+ through Column 20 lines 1-20 describes the playback sequence of all complete cells).

**[claims 12 & 13]**

In regard to Claims 12 and 13, Kashiwagi a method wherein generating the title list of titles comprises: Defining a free space title that represents free space; Deleting at least one of the playback sequence of all complete cells and converting the deleted sequence into the free space title; and Wherein the free space title representing the deleted sequence includes the title for the subset of complete cells ((Column 19 lines 5+ describes the free space title that represents the free space)

**[claim 14]**

In regard to Claim 14, Kashiwagi discloses a recording apparatus wherein the system control means further generate the title list of titles for both the playback sequence of all complete cells and the subset of complete cells (Column 20 lines 40-60 describes the generation of title lists).

**[claim 15]**

In regard to Claim 15, Kashiwagi discloses a recording apparatus wherein the system control means generates a free space title representing free space within the video object area and including the free space title in the title list, deletes at least one of the playback sequence of all complete cells and converting the deleted sequence into free space title, and wherein the free space title representing the deleted sequence includes the title for the subset of complete cells (Column 20 lines 40-60 describes the generation of the various lists).

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.



Art Unit: 2621

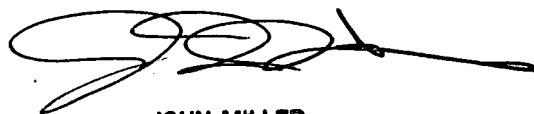
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jamie Vent whose telephone number is 571-272-7384. The examiner can normally be reached on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JJV



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